

6P 3652

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Approved for use through 09/30/2000. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

DEC 12 2002

TRANSMITTAL FORM

(Not used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

09/810,374

March 15, 2001

Walter Winkler

3652

Charles A. Fox

1020843-991180

<input checked="" type="checkbox"/> Fee Transmittal Form (1 pg.)	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Response After Final	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
Affidavits/declaration(s)	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Extension of Time Request (1 pg.)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Associate Power of Attorney,	<input checked="" type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i>
Information Disclosure Statement w/Information Disclosure Citation (3 pgs.)	<input type="checkbox"/> Terminal Disclaimer	Information Disclosure Statement with PTO Form-1449 (3 pgs.); IDS References: 5 U.S. patents; Fee Transmittal; Check No. for \$180.00; 524790 Certificate of Mailing (1 pg.); and Return Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or
Individual nameKieun Jenny Sung (Reg. No.48,639)
Gray Cary Ware Freidenrich LLP

Signature

26379

PATENT TRADEMARK OFFICE

Date

December 5, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231

Typed or printed name

Cathy Pittman

Signature

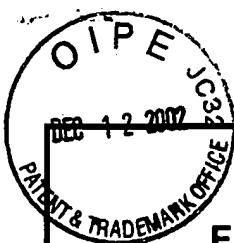
Date

December 5, 2002

GROUP 3600

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	(\$) 180.00
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Complete if Known	
Application Number	09/810,374
Filing Date	March 15, 2001
First Named Inventor	Walter Winkler
Examiner Name	Charles A. Fox
Group Art Unit	3652
Attorney Docket No.	1020843-991180

METHOD OF PAYMENT

- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	07-1896
Deposit Account Name	Gray Cary Ware & Freidenrich

Charge Any additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27
- Payment Enclosed:
 Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code (\$)	
101	740	201	370 Utility filing fee
106	330	206	165 Design filing fee
107	510	207	255 Plant filing fee
108	740	208	370 Reissue filing fee
114	160	214	80 Provisional filing fee

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-3	X	=

Multiple Dependent X =

Large Entity	Small Entity	Fee Description
Fee Code	Fee (\$)	Fee Code (\$)
103	18	203 9 Claims in excess of 20
102	84	202 42 Independent claims in excess of 3
104	280	204 140 Multiple dependent claim, if not paid
109	80	209 42 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code (\$)	
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	400	216 200 Extension for reply within second month	
117	920	217 460 Extension for reply within third month	
118	1,440	218 720 Extension for reply within fourth month	
128	1,960	228 980 Extension for reply within fifth month	
119	320	219 160 Notice of Appeal	
120	320	220 160 Filing a brief in support of an appeal	
121	280	221 140 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive – unavoidable	
141	1,280	241 640 Petition to revive – unintentional	
142	1,280	242 640 Utility issue fee (or reissue)	
143	460	243 230 Design issue fee	
144	620	244 310 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR 1.17(q)	
126	180	126 180 Submission of Information Disclosure Stmt	180
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279 370 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

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GROUP 3600

Submitted by _____

Name (Print/Type)	Kieun Jenny Sung	Registration No. (Attorney/Agent)	48,639	Telephone	650-320-7536
Signature				Date	December 5, 2002



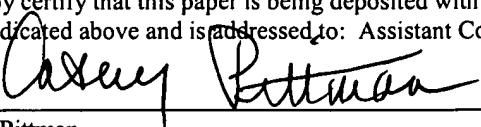


Attorney Docket Number 1020843-991180

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DATE OF DEPOSIT: December 5, 2002

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Cathy Pittman

* * *

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231



Sir:

26379

PATENT TRADEMARK OFFICE

Transmitted herewith for filing for:

U.S. Utility Patent Application S/N:	09/810,374 for:
Title:	"PICKING APPARATUS"
FILED:	March 15, 2001
INVENTOR(s):	Walter Winkler
Examiner:	Charles A. Fox
Group Art Unit:	3652

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GROUP 3800

Enclosed are:

1. Transmittal Form (1 pg.);
2. Information Disclosure Statement with PTO Form 1449 (3 pgs.);
3. Information Disclosure References: 3 U.S. Patents;
4. Fee Transmittal (1 pg.);
5. Check # 524790 for \$180.00;
6. Certificate of First Class Mailing (1 pg.); and
7. Return postcard.



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PATENT TRADEMARK OFFICE

Attorney Docket No.: 1020843-991180

INFORMATION DISCLOSURE
STATEMENT

Applicant:	Walter Winkler
Application No.	09/810,374
Filed:	March 15, 2001
For:	PICKING APPARATUS
Group Art Unit:	3652
Examiner:	Charles A. Fox
Attorney Docket No.:	1020843-991180

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application.

This Information Disclosure Statement:

- (a) accompanies a new patent application submitted herewith.
- (b) is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; OR
- (c) after the period defined in (b) but before the mailing date of a Final Rejection or Notice of Allowance, OR
- (d) is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below OR
- (d) is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- (f) Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- (g) No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application. Copies of the references are enclosed

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1020843-991180

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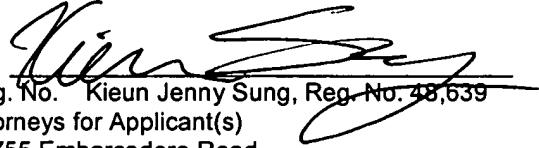
AED
12/17/02
DP/11

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. 07-1896

Date: December 5, 2002

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP

By: 
Reg. No. Kieun Jenny Sung, Reg. No. 48,639
Attorneys for Applicant(s)
1755 Embarcadero Road
Palo Alto, CA 94304
650-320-7536

Customer Number or Bar Code Label



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December 5, 2002

Date


Cathy Pittman